

EXHIBIT 1

EXHIBIT 1

I.

The Dies & Hile PD Claimants adopt the Initial Disclosure of Fact and Expert Witnesses Anticipated to be Called in Phase I of the Estimation, filed by the Official Committee of Asbestos Property Damage Claimants (the "Committee's Initial Disclosures") and hereby join in, adopt, and incorporate by reference such Committee's Initial Disclosures. The Notice of Service of the Committee's Initial Disclosures is Docket No. 11307, filed December 8, 2005. The Notices of Service of the Expert Reports, which are hereby adopted and fully incorporated by reference by the D&H PD Claimants, are:

William M. Ewing	Docket No. 11303, filed December 8, 2005
Dr. William E. Longo	Docket No. 11306, filed December 8, 2005
Henry A. Anderson, M.D.	Docket No. 11302, filed December 8, 2005
Laura S. Welch, M.D.	Docket No. 11305, filed December 8, 2005.

II.

A description of the qualifications of such experts are as follows:

1. **William Longo, Ph.D.** Dr. Longo is an expert in the fields of microscopy, materials science and engineering. He holds an M.S. and Ph.D. in Materials Science and Engineering from the University of Florida. He is president of Materials Analytical Services, Inc., a company specializing in materials characterization.

Throughout his career he has analyzed asbestos bulk, air and settled dust samples for both private clients and governmental agencies. He has consulted for the EPA on its protocol for asbestos sampling at Superfund sites and the dust analysis protocol. He assisted NATO in the analysis of materials from school buildings located overseas and the Berlin Wall for the presence

of asbestos. He has analyzed asbestos samples for corporations that formerly manufactured asbestos-containing products, including W.R. Grace.

Dr. Longo authored and co-authored numerous articles regarding asbestos sampling and testing techniques. He has served on the Peer Review Group Committee for the EPA, a group responsible for guiding EPA's research involving various asbestos issues in buildings. He was invited by the EPA, along with others, to help develop its protocol for taking and analyzing settled dust samples during some of its research studies. Dr. Longo is a member of the American Society of Testing Materials (ASTM Subcommittee for asbestos sampling and analysis). His contribution to this particular subcommittee involved such things as being the primary author of the ASTM method D-5755-95, entitled "Micro-Vacuum Sampling and Indirect Analysis of Dust by Transmission Electron Microscopy for Asbestos Structure Number Concentration."

Dr. Longo is an expert in the field of materials characterization, the use of materials for specific applications, and the ability to determine their physical and chemical properties using recognized testing procedures. He will testify about testing protocols routinely used for materials characterization and analyzing asbestos samples, including sample preparation and fiber counting. He will discuss the standard and accepted scientific methods and techniques used for identifying and quantifying asbestos in various samples such as air, dust and bulk in buildings and the basis of same. He may testify concerning the background levels of asbestos found in buildings. He will testify concerning the different forms of asbestos, including their morphology and mineralogy.

He may discuss the standards and regulations applicable to asbestos in buildings. He will testify concerning the proper assessment techniques to determine and measure asbestos fiber release, contamination in buildings and the ambient environment. Dr. Longo may testify

concerning product identification of Debtor's asbestos-containing products through the use of micro-analytical and/or chemical testing of asbestos-containing bulk samples, including the analytical techniques involved and the interpretation of data obtained.

He may give expert testimony regarding the history of his analysis of product identification of W.R. Grace asbestos-containing products and issues related thereto. He may give testimony concerning the testing, samples and/or methods used by other scientists. He may be asked to give testimony consistent with and/or similar in substance to the testimony he has given in property damage cases prosecuted by Martin Dies, Daniel Speights and Edward Westbrook on behalf of PD claimants. In addition to the Committee's Initial Disclosure, which disclosures and reports filed in connection therewith are adopted and incorporated by reference herein, the D&H PD Claimants hereby submit the additional report of William Longo, Ph.D. dated October 25, 2006, attached hereto as Exhibit "2".

2. **William M. Ewing.** Mr. Ewing is the Technical Director of Compass Environmental, Inc., 1751 McCollum Parkway, Kennesaw, Georgia 30144 and a Certified Industrial Hygienist (CIH). Mr. Ewing received a Bachelor of Science in Biology from Washington and Lee University and in 1978, began work at Clayton Environmental Consultants, Inc. in the field of industrial hygiene. In 1981, he joined the Georgia Tech Research Institute starting its industrial hygiene laboratory and instituting the hazardous waste program for small business in Georgia. He was director of the EPA-sponsored Asbestos Information Center and served as an industrial hygienist under the 7(c) (1) Program, sponsored by the Occupational Safety and Health Administration (OSHA). In 1983, Mr. Ewing became board certified in the comprehensive practice of industrial hygiene. In 1987, he left the Georgia Tech Research Institute to take the position of Executive Vice President at the Environmental Management

Group, Inc. In 1990, Diagnostic Engineering, Inc. acquired Environmental Management Group, Inc. and employed Mr. Ewing as Regional Technical Director until 1993 when he joined the consulting firm of Compass Environmental Inc.

During his career Mr. Ewing has conducted numerous industrial hygiene, asbestos management and environmental studies. He has authored several publications and served on many committees, including governmental and industrial committees, to study subjects, including methods for the identification of asbestos in buildings, disposal of ACM, evaluation of ACM, procedures for the abatement or containment of ACM in buildings, and measurement of asbestos fiber levels. Mr. Ewing has also conducted asbestos surveys for asbestos management and control in commercial and governmental facilities, including commercial office buildings, schools, hospitals, ships, industrial plants and government buildings. He has frequently directed or lectured in training courses sponsored by universities, government agencies and private interests on topics, including respiratory protection, asbestos identification, evaluation, management and control, and industrial hygiene. Mr. Ewing has provided asbestos-related consulting services to property managers and building owners throughout the nation.

Mr. Ewing has over 24 years experience evaluating asbestos in buildings in 42 states. He has conducted over 2,500 building inspections and designed asbestos abatement projects for over 100 buildings. He is accredited as an Asbestos Inspector, Asbestos Management Planner, Asbestos Abatement Project Supervisor, and an Asbestos Abatement Project Designer pursuant to the EPA regulations. Mr. Ewing was formerly Director of the EPA-sponsored Asbestos Information Center at the Georgia Tech Research Institute. The primary mission of the center was to conduct training, research and provide technical assistance regarding asbestos in buildings. In 1984 and 1985, he served as Chair of the Governor's Conference on asbestos.

Mr. Ewing was invited to testify before OSHA regarding proposed changes to its asbestos regulations in 1984. He was invited by the EPA's Asbestos Action Program to serve as a technical advisor to the Regulatory Negotiation Committee for writing the Asbestos Hazard Emergency Response Act regulations in 1986-87. He was invited to participate in the Congressionally-mandated evaluation of asbestos in schools in the early 1990s. He has served on numerous advisory panels and peer review committees addressing asbestos-related topics. These panels were sponsored by the EPA, the National Institute for Occupational Safety and Health (NIOSH), the US Navy (Shore Facilities Command), Army Corps of Engineers, General Services Administration, City of New York, Health Effects Institute, and the National Institute of Building Sciences. He served as the invited external reviewer for the EPA asbestos NESHAP revisions.

Mr. Ewing has published 19 articles on topics related to asbestos evaluation and control in buildings and given over 50 presentations or papers on the subject at conferences or symposia. In recognition of his professional contributions, he was designated a Fellow by the American Industrial Hygiene Association in 1995. In 2002, he was invited to a presentation at an ASTM conference on the subject of vermiculite mining in Libby, Montana.

As a result of his education, training and experience, Mr. Ewing is qualified to offer expert opinions related to asbestos-in-building issues including, but not limited to the following: evaluation and assessment of ACM in buildings and including their friability, including the primary assessment tools to determine fiber release and/or the need for corrective action; air, dust and bulk sampling techniques, their scientific acceptance, and their reliability and use to measure asbestos contamination; the contamination resulting from ACM in buildings; guidelines and regulations issued by EPA, OSHA, the Consumer Product Safety Commission (CPSC) and

other agencies relating to asbestos. He may testify regarding contamination as measured by air or dust sampling resulting from simulations of routine and/or foreseeable activities in buildings with in-place ACM. He may testify regarding disturbance and/or re-entrainment of asbestos from settled surface dust, and the attendant air levels as determined by various methods of testing. He may testify regarding the background levels of asbestos as determined in settled surface dust sampling. Further, Mr. Ewing may also testify as an expert consistent with or similar in substance to that testimony given in previous property damage asbestos cases prosecuted by Martin Dies, Edward Westbrook and Dan Speights on behalf of PD claimants.

3. **Henry Anderson, M.D.**, 200 Lakewood Boulevard, Madison, WI 53704. Dr. Anderson received a B.A. degree from Stanford University in 1968 and an M.D. degree from the University of Wisconsin Medical School, Madison in 1972. Dr. Anderson is Board Certified in Preventive Medicine and the Sub-specialty of Occupational Medicine (1977). He is a Fellow, American College of Epidemiology (1983) and a Certified "B" Reader for Pneumoconiosis Radiographs under Federal Mine Safety and Health Act of 1977, as amended. (1985, Recertified July 1989, July 1993, July 1997).

Dr. Anderson currently serves as the Chief Medical Officer for Occupational & Environmental Health, Wisconsin Division of Health. He has held that position since 1991. He also is the State Epidemiologist for Occupational and Environmental Disease of the Wisconsin Division of Health and serves as an Adjunct Professor, Institute for Environmental Studies, University of Wisconsin, Madison (1989 to present). Dr. Anderson is a Lecturer, Department of Community Medicine, Mount Sinai School of Medicine, New York, (1980 to present). From 1980 to 1989 he was Adjunct Associate Professor of Preventive Medicine at the University of Wisconsin, Madison. From 1978 to 1980 he was Assistant Professor of Community Medicine,

Environmental Sciences Laboratory, Mount Sinai School of Medicine, New York, and, from 1977 to 1980, he was a Clinical Assistant, Department of Medicine, Mount Sinai School of Medicine, New York. He has held the following additional positions: Instructor, Department of Community Medicine (1977-1978); Assistant, Department of Community Medicine (1976-1977), Research Fellow, Department of Medicine, (1973-1977); and Resident in Occupational and Environmental Medicine (1973-1977), Mount Sinai School of Medicine, New York.

Dr. Anderson, in his current position, is responsible for occupational health and environmental health issues in the State of Wisconsin. He is responsible for disease surveillance. This includes occupational diseases such as asbestosis and mesothelioma as it relates to asbestos. He has supervised a consultation program where physicians and individuals send in their chest X-rays and have them interpreted as a second opinion for asbestos-related disease. This is performed as an epidemiological function. Dr. Anderson is the designated state contact for the EPA AHERA programs and operates programs related to asbestos certification and training. Further, he investigates case reports and has performed epidemiological field studies related to asbestos diseases. He has also had responsibility for an OSHA consultation program for small businesses and a superfund assessment program that deal with asbestos-related issues.

Dr. Anderson has published over 154 articles in the medical literature, many of which involve asbestos-related disease, exposure and related epidemiology issues. Dr. Anderson's curriculum vitae, which describe these articles, will be provided to Debtor upon request. Significantly, Dr. Anderson was a co-author along with Dr. Selikoff and others of the seminal

epidemiological study which identified asbestos cancer risk from household or non-occupational exposure to asbestos dust.²

Dr. Anderson may testify concerning the disease process of asbestos-related diseases and asbestos disease epidemiology. Additionally, he may testify regarding the relationship between asbestos exposure and the development of asbestos-related diseases. Based on Dr. Anderson's extensive medical and epidemiological experience and his review of the medical literature, he may be asked to testify concerning the risk of disease associated with non-occupational exposures to asbestos. He may be asked to testify with regard to the risks associated with friable ACM in buildings, such as Debtor's ACM in buildings. Further, he may be asked to opine regarding Debtor's proposed quantitative risk model for determining risk of disease, including Debtor's assertions regarding the relative risk of certain types of asbestos fibers and/or their morphology. Dr. Anderson may discuss asbestos epidemiology and other studies as such may relate to the relationship between exposure and health risk. Dr. Anderson may testify regarding actual cases of individuals exposed to asbestos from in-place ACM in buildings who later

² Anderson HA, Lilis R, Daum SM, Fischbein AS, Selikoff IJ. *Household-Contact Asbestos Neoplastic Risk*. Ann NY Acad. Sci. 1271; 311-23, 1976; Anderson HA, *Part III: Neoplastic Effects (Principal Collaborator)*, In: *Asbestos and Disease* (Selikoff IJ and Lee DHK, eds.) 241-336. Acad. Press, New York, 1978; Anderson HA, Lilis R, Daum SM, Selikoff IJ, *Asbestosis Among Household Contacts of Asbestos Factory Workers*. Ann. NY Acad. Sci. 330:387-99, 1979; and Anderson HA, Selikoff IJ. *Asbestos-Associated Radiographic Changes Among Household Contacts of Amosite Asbestos Workers*. In: *Induced Disease: Drug, Irradiation, Occupation* (Leslie Preger, ed.) 253-273. Grune and Stratton, New York 1979. Additional publications include: Anderson H, Lillis R, Daum S, Fischbein A, Selikoff IJ. *Household Exposure to Asbestos and Risk of Subsequent Disease*. In: *Dusts and Disease*. (Lemen R and Dement JM, eds.) 145-56. Pathotox Publishers, Park Forest South, IL. 1979; 145-56; Anderson HA, Selikoff IJ, Lilis R, Seidman H. *Morbidity and Mortality Among Household Contacts of Amosite Asbestos Exposed Factory Workers*. Proc World Symposium on Asbestos, Pub., Canadian Asbestos Information Centre, Montreal, Canada 1983; 349-62; Anderson HA. *Asbestos: The Public Health Perspective on State of the Art*. Proc Environmental Epidemiology and Toxicology: Practical Application at the State Level. Proc ASTHO Conf. on Environmental Epidemiology and Toxicology: Practical Applications at the State Level, Astho Foundation, 1983; 69:39-42; Kilburn KH, Lilis R, Anderson HA, Boylen CT, Einstein HE, Johnson S-JS, Warshaw R. *Asbestos Disease in Family Contacts of Shipyard Workers*. Am J Public Health 75.6:615-17, 1985; Anderson HA, *Evolution of Environmental Epidemiologic Risk Assessment*. Environ Health Perspect 62:389-92, 1985; Rogan WJ, Gladen BC, Ragan NB, Anderson HA. *U.S. Prevalence of Occupational Pleural Thickening*. Am J Epidemiol 126.5:893-900, 1987; Anderson HA, Higgins D, Hanrahan LP, Project SENSOR: *Occupational Disease and Injury Surveillance*. Wis Med J 88:35-38; 1989; Anderson HA, Remington PL, Hanrahan LP, Haskins LK. *Surveillance of Environmental Disease: The Wisconsin Initiative* Wis Med J 89.3:120,122,124, 1990.

developed asbestos-related diseases, either from his review of published case reports, or actual cases seen and/or reviewed. Further, Dr. Anderson may offer testimony consistent with, or similar in substance to, the testimony he has given in previous asbestos property damage cases prosecuted by Martin Dies, Ed Westbrook and Daniel Speights.

4. **Laura Stewart Welch, M.D.** Dr. Welch is a medical doctor and epidemiologist with extensive experience in the diagnosis, evaluation and treatment of individuals who have been exposed to asbestos. She is currently the Medical Director of the Center to Protect Worker Rights, 8484 Georgia Avenue, Suite 1000, Silver Spring, Maryland 20910. Dr. Welch also has epidemiological training and expertise related to populations of individuals exposed to asbestos. Dr. Welch obtained her medical degree from the State University of New York at Stony Brook, Stony Brook, N.Y. in 1978. She is Board Certified by the American Board of Internal Medicine in internal medicine and the American Board of Preventive Medicine in occupational medicine. Dr. Welch holds a number of professional memberships related to her board certification. Dr. Welch has held a number of academic appointments including: Associate Professor of Medicine and Health Care Sciences, The George Washington University School of Medicine; Assistant Professor of Medicine, Yale University School of Medicine; and Instructor, Department of Community Medicine Albert Einstein College of Medicine, NY, NY.

Dr. Welch served as the Director, Division of Occupational and Environmental Medicine, The George Washington University School of Medicine. Previous to that appointment, she held other similar positions at George Washington University and was the Medical Director, Employee Health Service, Metropolitan Washington Airports. Dr. Welch also served as Co-Director, Occupational Medicine Clinic, Yale University School of Medicine. From 1984 to 1987 she was a member of the Governing Council, American Public Health Association. She has

also served as a member of the Governing Council, Society for Occupational and Environmental Health and as President, Association of Occupation and Environmental Clinics. She has served on numerous Peer Review Committees and as a medical consultant to several national labor organizations. She has served as a Reviewer for the American Journal of Industrial Medicine and the Journal of Occupational Medicine.

Dr. Welch has published numerous articles in medical literature and presented papers dealing with occupational and/or environmental health issues, including asbestos-related disease issues. She was a principal investigator regarding data gathered from a series of asbestos disease screening examinations of 9,605 U.S. sheet metal workers.³

Based on her education, training and expertise in the fields of asbestos medicine and epidemiology, Dr. Welch may opine with regard thereto. Dr. Welch may testify with regard to the relationship between asbestos exposure and disease including the risk of disease from exposure to asbestos in the occupational and non-occupational setting. She may testify with regard to the disease process with regard to asbestos related diseases. Dr. Welch may opine with regard to the risk of disease from exposures to asbestos in buildings. She may testify with regard to the relationship between fiber size, type and dose, and she may also testify concerning Debtor's proposed quantitative risk model. Dr. Welch may discuss epidemiological and other studies of the risk of disease from asbestos exposure. Dr. Welch may testify regarding actual cases of individuals exposed to asbestos from in-place ACM in buildings who later developed asbestos-related diseases, either from her review of published case reports, or actual cases seen and/or reviewed. Further, she may also give testimony consistent with or similar in substance to

³ Laura S. Welch, MD, David Michaels, PhD, MPH, Stephen R. Zoloth, PhD, MPH, and The National Sheet Metal Examination Group; *The National Sheet Metal Worker Asbestos Disease Screening Program: Radiologic Findings*; American Journal of Industrial Medicine 25:635-648 (1994)

testimony given in previous property damage cases prosecuted by Martin Dies on behalf of PD claimants.

5. **Richard L. Hatfield.** Mr. Hatfield is a Senior Consultant with Materials Analytical Services, Inc., 3945 Lakefield Court, Suwanee, Georgia 30024. Mr. Hatfield received a Bachelor of Science degree in Experimental Statistics and in Geology from North Carolina State University. He has been a member of the American Industrial Hygiene Association, the ASTM D-22 Committee, the Environmental Information Association, and the National Institute of Building Sciences. In 1978, he joined Law Engineering, and in 1979 was assigned to the U.S. EPA's "Asbestos in Schools" program. After the completion of that program and the initial attention of building managers toward the asbestos problems, Mr. Hatfield continued to assist Law by consulting with clients and developing methods to solve asbestos problems. In 1982, he was recruited by McCrone Environmental, a prominent laboratory, to develop and manage their Atlanta based company. Their goal was to provide quality field and laboratory services for the asbestos abatement industry. These services included building surveys, air and project monitoring, consulting, expert testimony, and extensive analytical microscopy services. McCrone Environmental was recognized as a leader in the specialized fields of light and electron microscopy. In 1987, Mr. Hatfield joined Law Associates to help develop its consulting services and assist the laboratory in the development of special analytical services. In 1996, Mr. Hatfield joined Materials Analytical Services as a Senior Consultant to perform consulting services for asbestos and other environmental and materials related problems.

Mr. Hatfield served as a Technical Field Advisor for U.S. EPA's "Asbestos in Schools Program," where he assisted in the formulation of New York State, New Jersey and the City of New York asbestos programs. He helped with training state and local government personnel,

contractors and the general public in regulations, building surveys and in work procedures associated with the discovery, control and removal of asbestos-containing materials. Upon completion of the EPA's project, Mr. Hatfield returned to Law and began its development of asbestos related services, particularly its analytical services. His knowledge and experience has been sought to further many other's education in dealing with asbestos-related problems. Mr. Hatfield's teaching experience began as a prime instructor in some of the earliest and most recognized training programs. While directing McCrone Environmental, Mr. Hatfield began serving as an expert witness in property damage, "cost recovery" litigation. Utilizing the expertise of the microscopy laboratory, Mr. Hatfield developed procedures for the identification of asbestos-containing products and special methods for evaluation asbestos contamination in buildings. Mr. Hatfield testified in individual property damage cases, as well as the Johns Manville Hearing for Property Damage settlements in Washington, D.C. Since his return to Law, Mr. Hatfield has been involved with management and training of project engineers, consulting with a broad spectrum of clients and the development of special analytical services for the Materials Analytical Services laboratory. Working closely with Dr. Longo and the other microscopists, Mr. Hatfield shared his procedures and experience to further develop analytical testing services for building evaluation and property damage litigation. Mr. Hatfield's knowledge and experience has been sought to further many other's education in dealing with asbestos-related problems. In addition to lecturing, Mr. Hatfield has twice taught the NIOSH Course No. 582, "Sampling and Evaluating Airborne Asbestos Dust" for the University of Alabama in Birmingham, and was appointed as an expert advisor to EPA's negotiated rule-making committee to promulgate new regulations for asbestos in schools, known as the Asbestos

Hazard Emergency Response Act (AHERA) regulations. Mr. Hatfield has also participated in the U.S. EPA's Peer Review of research projects.

Mr. Hatfield has published numerous articles and presentations, including: Harris, M.D., Ewing, W.M., Longo, W., DePasquale, C., Mount, M.D., Hatfield, R.L. & Stapleton, R. "Manganese Exposure During Shielded Metal Arc Welding (SMAW) in an Enclosed Space" J. Occup. & Environ. Hyg 2(8) 375-382, 2005; Longo, W.E., Egeland, W.B., Hatfield, R.L., Stapleton, R., and Hubbard Jr., "Tremolite Analysis of Chrysotile Containing Friction and Gasket / Packing Products", ASTM Johnson Conference, Johnson Vermont, July 2002; Longo, W.E., Egeland, W.B., Hatfield, R.L., and Newton, L.R., "Fiber Release During the Removal of Asbestos-Containing Gaskets: A Work Practice Simulation" Appl. Occup. Environ. Hyg. 17(1) 55-62, 2002; Hatfield, R.L., Kewer, J.A., and Longo, W.E., "A Study of the Reproducibility of the Micro-Vac Technique as a Tool for the Assessment of Surface Contamination in Buildings with Asbestos Containing Materials" (M.E. Beard and H.L. Rook) in Advances in Environmental Measurement Methods for Asbestos, ASTM #STP 1342,301, January 2000; Keyes, D.L. Chessan, Jr., Ewing, W.M., Faas, J.C., Hatfield, R.L., Hayes, S.M., Longo, W.E., and Millette, J.R. "Exposure to Airborne Asbestos Associated with Simulated Cable Installation Above and Suspended Ceiling" Am. Ind. Hyg. Assoc. J. (52) Nov. 1991; Keyes, D.L., Chessan, J., Hayes, S.M., Hatfield, R.L., Ewing, W.M., Longo, W.E. and Millette, J.R. "Re-Entrainment of Asbestos from Dust in a Building with Acoustical Plaster" Environmental Choice, Technical Support, Volume I, (6), 1992; and Ewing, W.M., Chesson, Jr., Dawson, T.A., Ewing, E.M., Hatfield, R.L., Hays, S.M., Keyes, D.L., Longo, W.E., Millette, J.R., and Spain, W.H. "Asbestos Exposure During and Following Cable Installation in the Vicinity of Fireproofing" Environmental Choices Technical Supplement, Volume I, (2), 1993.

6. **Martin Bennett.** Mr. Bennett is a Senior Consultant for Materials Analytical Services, Inc. (MAS) at their corporate headquarters in Suwanee, Georgia. Mr. Bennett performs/ manages and serves as the technical lead on broad array of environmental projects. Over the past 9 years, he has focused primarily on serving the commercial and industrial real estate market. Mr. Bennett is responsible for certain aspects of asbestos assessment, chemical and microanalytical testing, as well as technical review for asbestos and IAQ related work company wide. Prior to joining MAS, Mr. Bennett served as an Environmental Consultant with MACTEC Engineering and Consulting Services, Inc. in Atlanta. His areas of expertise included: Regulatory Compliance, Phase I and Phase I Assessments, Soil and Groundwater Remediation, Underground Storage Tanks, Environmental Risk Assessment, Industrial Hygiene (including IAQ, Asbestos, LBP, Radon, EMFs, Hazardous Materials and Mold). Prior to that, Mr. Bennett served as acting Chief Engineer for the North East region of MACTEC, which was primarily devoted to serving the asbestos industry. He was instrumental in the establishment of the New York City office, as well as the technical supervision of a 40 person staff. Prior to MACTEC, he served 3½ years with McCrone Environmental (a pioneer in the microanalytical field). Mr. Bennett has a cumulative experience of over 19 years in the environmental field, which encompasses projects performed throughout the United States, Canada, South America, Central America and the Caribbean. His strengths are in project management, emergency response, assessment of building hazards and design of analytical testing strategies.

Mr. Bennett has performed well over 300 Phase I environmental site assessments in accordance with ASTM standards. Typical properties assessed include high-rise office buildings, shopping centers, apartment complexes, industrial plants and undeveloped land. In the course of this work, Mr. Bennett routinely conducts Phase II assessments (involving sub surface

drilling, monitoring well installation, soil/groundwater sampling and interpretation of analytical results). This type of Phase II work is performed at properties where conditions warrant a quantification or delineation of the potential hazards found there. Contaminants typically assessed include metals, hydrocarbons, solvents, pesticides and PCBs. In addition, Mr. Bennett possesses a broad knowledge of environmental regulations and issues in the areas of soil/groundwater contamination and underground storage tanks (USTs). Mr. Bennett has also co-authored a nationally published book *Hazardous Substances in Buildings: Liability, Litigation and Abatement*, which address asbestos, lead, polychlorinated biphenyls (PCBs), formaldehyde and radon. Relative to industrial and manufacturing operations, Mr. Bennett has conducted numerous compliance audits in preparation of plant closings, real estate transfers and regulatory actions. In this capacity, he has prepared and submitted regulatory compliance documentation to responsible agencies, including air permits, Tier II and Form R reporting, spill prevention, containment and countermeasure plans (SPCC), storm water pollution prevention plans (SWPPP), and development of Best Management Practices Plans for storm water and hazardous waste concerns. In addition possesses a broad knowledge of Process Safety Management.

Mr. Bennett routinely performs a variety of air, surface and subsurface contamination assessments, hydrogeologic assessments, and underground storage tank consulting services. He is experienced in the installation of groundwater monitoring and recovery wells and the use of groundwater and soil vapor monitoring equipment. In projects where MACTEC has acted as the general contractor, he has prepared contract documents and bid packages, prepared work and safety plans, supervised the removal of underground storage tanks and managed soil/water remediation efforts. Mr. Bennett has prepared Corrective Action Plans involving the assessment of dissolved and free phase contaminant plumes, soil and rock conditions, aquifer characteristics,

groundwater flow rates, and the design of soil remediation operations. He is familiar with groundwater and soil sampling protocols, well installation, soil boring and rock coring, OSHA safety regulations, and hazardous waste management. Mr. Bennett is also familiar with state and federal regulations governing water and soil contaminants, UST and AST management, and has acted as project manager for remediation and UST closure projects. Many of these projects have required coordination with various subcontractors and state & federal agencies. In the preparation of Corrective Action Plans, Mr. Bennett has prepared cost estimates for construction efforts involving paving, soil excavation and excavation bracing, groundwater and soil remediation scenarios and component construction, and equipment procurement. Additionally, Mr. Bennett has extensive experience with Georgia's Hazardous Site Response Act (HSRA). He has performed and managed numerous HSRA assessments, notifications and corrective actions and is familiar with the reportable quantity screening method (RQSM) of scoring sites with identified releases to soil and/or groundwater. Mr. Bennett is also familiar with the HSRA risk reductions standards and has assisted in the preparation of Compliance Status Reports (CSR).

As a consultant in the asbestos field, Mr. Bennett has had extensive experience in performing and managing surveys and hazard assessments for asbestos-containing materials (ACM) in variety of building structures ranging from private homes to state and nationwide real estate holdings of municipalities and Fortune 500 companies. His expertise in identification of ACM is based on experience of conducting over 600 surveys and possessing the micro analytical training and credentials to perform the actual bulk sample analysis. Mr. Bennett's survey experience has been called upon in numerous asbestos litigation trials to evaluate the condition of the ACM found in a building as well as the extent of asbestos contamination and occupant exposure potential. Mr. Bennett has been actively involved for over 10 years in asbestos

product-identification through the process of chemical and micro-analytical constituent analysis. In addition he possess a thorough understanding of the analytical methodologies specific for asbestos hazard assessments including the NIOSH 7400 Method for Phase Contrast Microscopy (PCM), the EPA Method for Polarized Light Microscopy (PLM), the EPA method for Transmission Electron Microscopy (TEM), as well as the EPA and ASTM draft micro-vac methods for dust sample analysis. Mr. Bennett, is also a qualified instructor of the NIOSH Course NO. 582 "Sampling and Evaluating Airborne Asbestos Dust" and has played a significant role in the analytical assessment area by his contributions to a standardized dust sampling and fall out sampling protocols. Mr. Bennett has technical experience in lead-based paint inspection and abatement consulting services. His inspection experience has included the supervision of XRF technicians, review of laboratory results, and developing risk assessments for multi-family housing developments. He has inspected, managed, and monitored lead-based paint and lead dust removal projects at military bases and historic buildings. His abatement experience has included development of removal specifications and O&M plans, waste testing, handling, and disposal requirements, lead contaminated soil testing and remediation, exposure monitoring, and clearance wipe sampling. In the area of asbestos project design and management, Mr. Bennett has developed complete asbestos abatement specifications and designed site specific operation and maintenance (O&M) plans for numerous facilities. In addition he has served as a project manager and owners representative on several hundred asbestos abatement projects ranging from small-scale weekend projects to those over 2 million square feet in area. In this capacity his duties have included maintenance and building staff training, air sampling, project observation and documentation, development of work procedures and contract administration.

Mr. Bennett manages the industrial hygiene, indoor air quality and fungal assessment section of the Facilities Environmental section of the Atlanta Branch. In this capacity, Mr. Bennett has performed and managed numerous industrial hygiene projects including indoor air quality (IAQ) surveys, mold/airborne pathogen assessments, noise level surveys, electro-magnetic field assessments, industrial ventilation testing, confined space entry, respiratory protection training, employee exposure monitoring, waste testing and handling procedures, hazard communication and site health and safety issues. His IAQ services have included building evaluations, interviews, and testing to assess occupant complaints and sick building syndrome (SBS). He has performed both commercial and industrial assessments of indoor air quality utilizing specific gas and multi-gas direct reading instruments for chemical contaminant sampling, particulate sampling and microbial bulk and air sampling. Typical assessments combine water infiltration evaluations and HVAC system surveys with contaminant test results to develop conclusions and recommendations on building air quality. Typical projects include assessments, O&M program development and oversight of remediation for universities, commercial office buildings and industrial plants. Mr. Bennett's experience and expertise are frequently called upon in industry training seminars and testing and inspections services for law firms and insurance companies for IAQ /mold litigation related claims.

Examples of his project experience include:

World Trade Center Disaster, New York, NY. Multi-discipline emergency response following collapse of the World Trade Center (WTC). Efforts directed at collateral damage sustained to facilities owned and occupied by major New York City banking institution. Technical lead for industrial hygiene and engineering support to assess, design, coordinate and remediate environmental impacts at 3 major facilities (in excess of 5 million square feet) at or

near ground zero. Eighteen month effort addressed metals, VOCs, dioxins, asbestos, mold and drinking water. Total remediation and restoration fees in excess of \$250 million. Efforts included coordination with federal investigators, federal and state environment regulators, the mayor's office and over 15 separate trades and unions.

Atlantic Steel / National Lead Superfund Site, Atlanta, GA. Environmental and engineering support for initial investigation of lead impacts to soils in a residential community. Investigation conducted in response to surface deposition of lead allegedly resulting from the historic airborne emissions released at two former industrial sites. Developed and conducted sampling protocols and testing strategies (both in-situ and ex-situ) for determination of lead contamination. Coordinated efforts directly with representatives of both PRPs, the developer and EPA region 4. Responsible for initial development of remediation/restoration plan and exit strategy.

Coca-Cola ESA/Compliance Audits, Brazil. Industrial compliance audit and environmental assessment at 26 bottling plants and support facilities in 15 States of Brazil. Efforts included review of applicable state and federal environmental regulations, evaluation of existing wastewater treatment systems, assessment of UST and AST systems, air permitting issues and hazardous waste storage and disposal. Reports prepared for client to assess facilities compliance with in-house policies, global standards and federal regulations.

Space Master Multi-Site Portfolio, 26 States, USA. Environmental assessment /due diligence for a 52 site \$200 million commercial business. Directed Phase I and Phase II assessments at each site relative to guidelines prepared jointly for the seller and the buyer. Provided technical review of all reports and prepared uniform conclusions and recommendations

relative to on-site hazards. Entire project completed successfully with in an accelerated 60-day close schedule.

City of Baltimore Asbestos Litigation, Baltimore, MD. Hazard assessment and expert witness testimony in successful \$100 Million asbestos property damage claim. Case involved the inspection; hazard assessment and asbestos product identification in over 60, City of Baltimore owned facilities. Ultimately the case was tried over a 3-year period in three separate trials, against asbestos manufacturers, which Mr. Bennett provided pivotal testimony leading to successful jury decisions in each. Responsible for all micro-analytical aspects of the case including testing protocols, interpretation of data and development of test studies.

Dupont Plaza Hotel Fire, San Juan, Puerto Rico. Industrial hygiene and engineering support following an intentionally set fire at the hotel. Directed environmental monitoring and contamination assessment relative to asbestos and other environmental hazards caused as a result of the fire. Responsible for emergency response health/safety training and respiratory protection for state and federal investigators. Prepared assessment reports and briefings for insurance carriers, OSHA, EPA and local regulators. Developed and coordinated initial remediation plans to facilitate long term investigation of crime scene.

III.

RIGHT TO SUPPLEMENT

1. D&H PD Claimants reserve the right to call witnesses or designate deposition testimony, affidavits and/or certification of witnesses in rebuttal to any affirmative defense or new matters raised by the Debtor.

2. D&H PD Claimants reserve the right to call witnesses or designate testimony from any deposition transcripts designated by the Debtor.

3. D&H PD Claimants reserve the right to call witnesses or designate deposition testimony, affidavits, and/or certification of witnesses to introduce any document which is challenged by the Debtor, including challenges based on authenticity.

4. D&H PD Claimants reserve the right to call witnesses listed on any other party's witness list.